



1111 Sixth Avenue, Suite 402  
San Diego, CA 92101  
www.circulatesd.org

November 21, 2014

Director Ken Alex  
Governor's Office of Planning and Research  
P.O. Box 3044  
Sacramento, CA 95812-3044

**RE: Comments on Update to CEQA Guidelines per SB 743**

Dear Mr. Alex,

On behalf of Circulate San Diego, thank you for the opportunity to provide comments on the *Preliminary Discussion Draft of Updates to the CEQA Guidelines Implementing Senate Bill 743*. We applaud the State of California and the Office of Planning and Research (OPR) for taking this positive step forward to replace the Level of Service (LOS) measure for determining transportation-related environmental significance under the California Environmental Quality Act (CEQA) with a Vehicle Miles Traveled (VMT) measure. Based on the most recent research relating VMT to a host of social, environmental, and health benefits, this is an excellent move forward.

While we fully support the shift from LOS to VMT, we recommend the following ways to improve the draft CEQA Guidelines new Section 15064.3.

### *Background*

- **Add new language about public health to the *Background and Explanation of Proposed New Section 15064.3***

To more fully explain the harmful impacts of congestion "mitigation," we recommend adding further language to the *Background* section. In the third paragraph of the *Background* Section, after the second sentence ending in "impacts related to congestion," insert: "Taxpayers also bear the costs of chronic disease associated with low levels of physical activity, in part, because of a failure to include bike, pedestrian and transit amenities in project plans."<sup>1</sup>

In addition, the purposes of public health should be further explained in the Explanation of Proposed New Section 15064.3 Subdivision (a): Purpose. We recommend adding the following language: "As noted in the legislation, it is the intent of the Legislature to promote public health through active transportation. Reducing VMT has been shown to have significant health benefits by changing the built environment in ways that benefit pedestrians, bicyclists, and transit users."<sup>2</sup> Encouraging active forms of transportation, such as walking, bicycling and taking public transit not only has been shown to reduce greenhouse gas emissions but also substantively improve public health outcomes.

---

<sup>1</sup> Trogon, Justin G., et al. "The economic burden of chronic cardiovascular disease for major insurers." *Health promotion practice* 8.3 (2007): 234-242.

<sup>2</sup> Ewing, Reid, and Robert Cervero. "Travel and the built environment: a synthesis." *Transportation Research Record: Journal of the Transportation Research Board* 1780.1 (2001): 87-114; Ewing, Reid, and Robert Cervero. "Travel and the built environment: a meta-analysis." *Journal of the American Planning Association* 76.3 (2010): 265-294.



*Subdivision (a): Purpose*

- **Limit unintended consequences of language on “other relevant considerations”**

Currently, the Guidelines read: “Other relevant considerations include the effects of the project on transit and non-motorized travel and the safety of all travelers.” The safety of a transportation project is of primary concern, and we strongly support the consideration of impacts on transit and non-motorized travel. In addition, we recommend that impacts on public health be considered. However, the language in the Guidelines on these “considerations” is so general that it could be interpreted in several ways, some of which conflict with each other. Improving the safety of a driver might conflict with improving the safety of a pedestrian. OPR should resolve this ambiguity. In addition, we recommend eliminating mention of highway queues or speed differentials as safety criteria in Section (3)(a).

*Section (b) (1) Vehicle Miles Traveled and Land use Projects*

- **Link VMT thresholds to regional SB 375 targets and Sustainable Communities Strategy**

We appreciate that the VMT thresholds take into consideration regional differences. We recommend the threshold be based on the existing statewide framework of SB 375 and regional Sustainable Communities Strategy (SCS) goals. The proposed threshold of significance should be more aggressive than the regional average so as to set the bar higher to reduce VMT. We recommend that the threshold be in line with the regional SCS to reflect that region’s goals and projects.

- **Review threshold measure at least biannually**

Each region should have one standardized threshold against which all individual projects are compared. For example, there should be no variation in the value of the “average” within a region. In addition, to ensure that the significance threshold is as up-to-date as possible as regional landscapes shift quickly, we suggest that the threshold be measured and defined at least every two years.

- **Limit metric to per capita or per employee**

We recommend a per capita or per employee measure that takes into account all transportation users as individuals. Maps of Chicago produced by the Center for Neighborhood Technology have shown that while cities may look like massive producers of greenhouse gas emissions compared to the suburbs, on a per capita basis, living in a city is actually a more sustainable choice. Per capita measurements are the best way to measure greenhouse gas production and VMT.

- **Allow projects with net decreases in vehicle miles traveled and land use plans that are consistent with a Sustainable Communities Strategy to be presumed as having less than significant transportation impact.**

We support the language to allow projects with “net decreases in vehicle miles traveled” and “land use plans that are either consistent with a sustainable communities strategy, or that achieve at least an equivalent reduction in vehicle miles traveled as projected to result from implementation of a sustainable communities strategy, generally may be considered to have a less than significant impact”. These allowances should encourage development projects consistent with the SCS to occur in those relevant, targeted areas.



Another possible way of improving this section of the Guidelines would be to add a few, simple indicators that a project will generally have low-VMT to complement the transit-proximate indicator. These indicators could be based on the CAPCOA Guidelines, the Leadership in Energy and Environmental Design – Neighborhood Development (LEED-ND) Guidelines, and the most recent literature. For example, density of units, diversity of uses,<sup>3</sup> and limited parking availability more accurately indicate lower VMT.<sup>4</sup>

- **Clarify how consistency of land use plans will be determined**

Although we support the reference to consistency with SCSs, more clarification is needed on how the consistency will be determined.

*Section (b) (2) Induced Vehicle Travel and Transportation Projects*

- **Distinguish among projects that increase roadway capacity or add a new roadway to the network.**

In Section 15064.3(b)(2) it is noted “to the extent a transportation project increases physical roadway capacity for automobiles in a congested area, or adds a new roadway to the network, the transportation analysis should analyze whether the project will induce additional automobile travel compared to existing conditions.” This section does not distinguish between large and small projects. This type of distinction should be explored so that small scaled projects could be considered to have a less than significant transportation impact, even if adding capacity or a new roadway. Please note that road additions can actually lead to a denser network of streets and intersections which have been shown to improve walkability.<sup>5</sup>

Additionally, we believe that HOV and HOT lanes should be analyzed for their VMT impacts. This could make it more likely for the addition of transit improvements and frequency on these facilities that would improve VMT outcomes, while also measuring the true impact of these projects. In addition, more clarification is needed on how it will be determined whether the Sustainable Community Strategy adequately analyzed “induced demand.”

We look forward to assisting OPR in the development of the Guidelines and this critical transition from LOS to VMT as a measure of environmental impact under CEQA.

Sincerely,

Kathleen Ferrier, AICP, Policy Manager

---

<sup>3</sup> California Air Pollution Control Officers' Association. *Quantifying Greenhouse Gas Mitigation Measures: A Resource for Local Government to Assess Emission Reductions from Greenhouse Gas Mitigation Measures*. August, 2010. <<http://www.capcoa.org/wp-content/uploads/2010/11/CAPCOA-Quantification-Report-9-14-Final.pdf>>

<sup>4</sup> Chatman, Daniel G. "Does TOD need the T? On the importance of factors other than rail access." *Journal of the American Planning Association* 79.1 (2013): 17-31.

<sup>5</sup> Ewing, Reid, and Robert Cervero. "Travel and the built environment: a synthesis." *Transportation Research Record: Journal of the Transportation Research Board* 1780.1 (2001): 87-114; Ewing, Reid, and Robert Cervero. "Travel and the built environment: a meta-analysis." *Journal of the American Planning Association* 76.3 (2010): 265-294.